

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD L. SPENCE

v.

RAYMOND J. SOBINA, ET AL.

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CIVIL ACTION NO. 09-3202

ORDER

AND NOW, this 30th day of March 2011, upon consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, after review of the report and recommendation of United States Magistrate Judge L. Felipe Restrepo, and no objections having been filed, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED** and **DISMISSED**;
3. A certificate of appealability shall not issue, since for the reasons set forth in the Report and Recommendation, petitioner has not made a substantial showing of the denial of a constitutional right.

BY THE COURT:



R. BARCLAY SURRICK, J.